

**** E-filed April 20, 2011 ****

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

No. CR10-00344

Plaintiff,

v.

REYNALDO PEDREGON, JR.,

Defendant.

**ORDER GRANTING IN PART AND
DENYING IN PART DEFENDANT'S
MOTION FOR ORDER DIRECTING
PROBATION OFFICE TO RELEASE
COPY OF DEFENDANT'S FILE**

[Re: Docket No. 21]

On April 4, 2011, Defendant filed a motion for an order requiring the United States Probation Office to release a complete copy of his probation file as well as to provide certain other material. Docket No. 21. The Government opposed Defendant's motion in part. Docket No. 24. Oral argument was heard on April 20, 2011. Docket No. 25.

Upon consideration of the moving papers and the arguments of counsel, Defendant's motion is GRANTED IN PART and DENIED IN PART. Defendant's motion is granted with respect to materials required to be disclosed by the Government under Brady v. Maryland, 373 U.S. 83 (1963), and other rules, and to materials specifically enumerated by the Government in its opposition brief. See Docket No. 24 at 2-3. Defendant's motion is denied with respect to materials that relate to uncharged conduct. In addition, Defendant's request, made orally at the motion hearing, for the Court to conduct an *in camera* review of the contents of probation file is denied.

IT IS SO ORDERED.

Dated: April 20, 2011



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

CR10-00344 JF (HRL) Notice will be electronically mailed to:

Manuel Urquidez Aldapa Araujo	Manuel_Araujo@fd.org, Susie_Barrera@fd.org
Nathanael M. Cousins	nat.cousins@usdoj.gov, kamille.singh@usdoj.gov

Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.